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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,354	02/11/2004	Thomas Roy Prohovsky	ADAPP256	5062
25920 7590 03/25/2008 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085				
EXAMINER LAZARO, DAVID R				
ART UNIT 2155		PAPER NUMBER		
MAIL DATE 03/25/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/777,354

Applicant(s)

PROHOFSKY, THOMAS ROY

Examiner

DAVID LAZARO

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the amendment filed 12/21/2007.
2. Claims 1, 9, 10 and 15 were amended.
3. Claims 1-20 are pending in this office action.

Response to Amendment

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 9-12 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,930,801 by Falkenhaimer et al. (Falkenhaimer) in view of U.S. Patent 6,157,953 by Chang et al. (Chang).

8. With respect to claim 1, Falkenhaimer teaches a method comprising:

initializing a program on a file server (Col. 3 lines 13-17 and Col. 11 lines 40-51: command utility program has been initialized on the server) , the program being capable of creating an account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention);

requesting the account from a requestor, the requestor being capable of bypassing communication to an administrator (Col. 8 line 50 - Col. 9 line 22: user can request to create an account, i.e. register); and

processing a request for the account wherein the program is capable of processing the request and bypassing an intervening administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention).

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose initializing the program on the file server through administrator action to activate the program. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the

program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

9. With respect to claim 2, Falkenhaimer further teaches wherein initializing the program includes activating the program, the program being capable of operating continuously (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: command utility is operating continuously to handle user commands).

10. With respect to claim 3, Falkenhaimer further teaches wherein requesting the account includes transmitting an account identifier to the program (In Falkenhaimer: Col. 8 lines 50-65: name or address of user).

11. With respect to claim 4, Falkenhaimer further teaches wherein processing the request includes executing operations when the program receives an account identifier (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: operations are executed to create the account according to the request).

12. With respect to claim 5, Falkenhaimer further teaches wherein processing the request further includes checking for mode enablement and checking for an account limitation (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13).

13. With respect to claim 6, Falkenhaimer further teaches wherein processing the request further includes resolving an account identifier and manipulating security tokens (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13: account creation includes security considerations).

14. With respect to claim 7, Falkenhaimer further teaches wherein processing the request further includes creating a directory and configuring software settings (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13).

15. With respect to claim 9, Falkenhaimer teaches a method for account creation without administrator intervention, comprising:

initializing a program (Col. 3 lines 13-17 and Col. 11 lines 40-51: command utility program has been initialized on the server), the program being capable of monitoring a network connection for an account request and capable of creating an account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention);

receiving the account request and authenticating an account identifier for a new account (Col. 8 line 50 - Col. 9 line 13: account created according to security considerations and permissions); and

processing the account request by creating a location in a structure managed by an operating system for maintaining accounts (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account creates object in a database all managed by command utility program).

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose initializing the program through administrator action to activate the program. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

16. With respect to claim 10, Salas teaches a system for creating an account without an administrator action, comprising:

a requestor operating on a client, the client being coupled to a connector, wherein the requestor is capable of requesting the account (Col. 8 line 50 - Col. 9 line 22: user can request to create an account, i.e. register) ; and

a program capable of continuous operation on a file server (In Falkenhaimer: Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: command utility is operating continuously to handle user commands), the file server being coupled to the connector, wherein the program is capable of monitoring a connection point for a request to create the account and subsequently creating the account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention).

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose the program being activated through administrator action. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

17. With respect to claim 11, Falkenhaimer further teaches a database for authenticating an account identifier (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 14).

18. With respect to claim 12, Falkenhaimer further teaches wherein the program is coupled to the database (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 14 and see Fig. 1).

19. With respect to claim 15, Salas teaches a network, comprising:

a first computer coupled to a network connector, the first computer being capable of requesting the creation of an account (Col. 8 line 50 - Col. 9 line 22: user can request to create an account, i.e. register); and

a second computer coupled to the network connector; and a program residing in the second computer, wherein the program is capable of creating the account without further administrator action (Col. 8 line 50 - Col. 9 line 13 and Col. 14 lines 1-23: account can be created without administrator intervention)

While it is generally implied that an administrator is responsible for initializing network services (Col. 1 lines 20-56), Falkenhaimer does not explicitly disclose the program being activated through administrator action. Chang teaches that it is known that administrators are typically responsible for activating and managing services in a network server environment (Col. 1 lines 14-34).

It would have been obvious to one of ordinary skill in the art to have administrator action, such as taught by Chang, activate the program of Falkenhaimer. Using the known technique of administrator action for activating services to provide the program activation required in Falkenhaimer would have been obvious to one of ordinary skill in the art.

20. With respect to claim 16, Falkenhaimer further teaches a network attached storage (NAS) device coupled to the network connector, the NAS device being capable of storing the account (In Falkenhaimer: Col 8 line 66 - Col. 9 line 13 and see Fig. 1).

21. With respect to claim 17, Falkenhaimer further teaches a database coupled to the network connector, the database capable of providing data to authenticate an account identifier (In Falkenhaimer: Col 8 line 66 - Col. 9 line 13 and see Fig. 1).

22. With respect to claim 18, Falkenhaimer further teaches wherein the network connector is capable of facilitating file sharing (In Falkenhaimer: Col. 2 lines 12-28).

23. With respect to claim 19, Falkenhaimer further teaches a directory in a directory structure (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13).

24. Claims 8, 13, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Falkenhaimer in view of Chang as applied to claims 7, 11 and 19 above, and further in view of U.S. Patent 5,734,831.

25. With respect to claim 8, while Falkenhaimer in view of Chang teaches creating a directory as part of account creation processing (In Falkenhaimer: Col. 8 line 66 - Col. 9

line 13), Falkenhaimer in view of Chang does not explicitly disclose the processing includes allocating locations on a directory tree structure.

Sanders teaches the processing of an account creation request can included the creation of a directory, including allocating locations on a directory tree structure (Col. 10 lines 13-32).

Because both Falkenhaimer in view of Chang and Sanders teach methods for processing account creation requests, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute one method for the other for the predictable result of processing an account creation request in order to create an account.

26. With respect to claim 13, while Falkenhaimer in view of Chang teaches creating a directory as part of account creation processing (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13), Falkenhaimer in view of Chang does not explicitly disclose a directory in a directory tree structure.

Sanders teaches the processing of an account creation request can included the creation of a directory tree structure (Col. 10 lines 13-32).

Because both Falkenhaimer in view of Chang and Sanders teach methods for processing account creation requests, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute one method for the other for the predictable result of processing an account creation request in order to create an account.

27. With respect to claim 14, Falkenhaimer in view of Chang further teaches wherein the program initiates at least one process to create the directory (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13) (In Sanders: Col. 10 lines 1-32).

28. With respect to claim 20, while Falkenhaimer in view of Chang teaches creating a directory as part of account creation processing (In Falkenhaimer: Col. 8 line 66 - Col. 9 line 13), Falkenhaimer in view of Chang does not explicitly disclose a directory in a directory tree structure.

Sanders teaches the processing of an account creation request can included the creation of a directory tree structure (Col. 10 lines 13-32).

Because both Falkenhaimer in view of Chang and Sanders teach methods for processing account creation requests, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute one method for the other for the predictable result of processing an account creation request in order to create an account.

Conclusion

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID LAZARO whose telephone number is (571)272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/David Lazaro/

March 20, 2008

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155